

ETHICS COMMISSION

PROGRAM: Ethics Program Compliance		PROGRAM ELEMENT:				
PROGRAM MISSION: To ensure the ethical conduct of individuals who serve the County government						
COMMUNITY OUTCOMES SUPPORTED: • Ethical government • Trust in government • Respect for the law • Equal access and opportunities for County citizens and businesses						
PROGRAM MEASURES ^a	CY01 ACTUAL	CY02 ACTUAL	CY03 ACTUAL	FY04 BUDGET	CY04 ACTUAL	FY05 APPROVED
Outcomes/Results:						
Outside employment conflicts identified and resolved by imposing conditions	5	3	3	4	7	3
Outside employment requests denied	2	0	3	1	5	1
Waiver requests denied resulting in advisory opinions	0	2	2	2	2	1
Waiver requests granted	1	1	2	2	1	2
Complaints upheld and resolved by consent order	0	0	1	0	2	2
Complaints upheld and resolved by adjudicatory hearing	0	0	0	1	0	0
Legislative, regulatory, and procedural changes recommended	3	1	1	2	2	2
Legislative, regulatory, and procedural changes approved/enacted	3	1	1	2	2	2
Service Quality:						
Commission decisions appealed	0	0	1	0	0	1
Outside employment decisions appealed	0	0	2	0	0	0
Percentage of outside employment decisions overturned on appeal	0	0	0	0	0	0
Investigations pending from previous year	1	0	2	2	2	2
Average time to investigate a request for approval of outside employment (hours)	NA	0.5	0.5	0.5	0.5	0.5
Efficiency:						
Cost per routine transaction processed (\$) ^b	59.35	73.54	75.33	78.77	67.71	70.79
Workload/Outputs:						
Complaints received and investigated	1	4	9	0	5	5
Complaints dismissed	0	1	4	1	3	1
Waiver requests received and reviewed	1	3	4	3	5	5
Advisory opinions requested	5	12	16	9	14	4
Advisory opinions rendered	1	12	16	7	14	4
Investigations initiated	1	4	5	0	2	3
Requests for outside employment received and decided	1,135	701	646	517	684	693
Percentage of requests for outside employment approved	99	99	97	99	99	99
Lobbyist registrations processed	93	88	84	94	125	120
Lobbyist activity reports filed	150	133	77	112	150	175
Financial disclosure statements processed	1,360	1,255	1,443	1,668	1,582	1,680
Website hits	NA	NA	NA	NA	NA	TBD
Inputs:						
Expenditures (\$)	162,511	160,094	169,488	188,340	172,060	188,860
Workyears	2.0	2.0	2.0	2.0	2.0	2.0
Notes: ^a All figures except expenditures and workyears are based on the calendar year (e.g. FY04 expenditures and workyears are reported in the CY04 column). ^b Routine transactions include outside employment approval requests, lobbyist registration forms and activity reports, and financial disclosure forms processed.						
EXPLANATION: The Ethics Commission is the sole authority for interpretation of the County's Ethics Law. The Commission administers the County's Code of Ethics by encouraging and enforcing compliance and ensuring ethical conduct by employees of the Executive Branch, the County Council, Boards and Commissions, the Revenue Authority, the Housing Opportunities Commission, Fire Corporations, and Rescue Squads. Compliance is achieved through several mechanisms. Designated public officials, employees, appointees, candidates for public office, and volunteers are required to disclose financial information that could reveal existing or potential conflicts of interest. Lobbyists are required to register and periodically report on lobbying activities involving the County government when lobbying income or expenditures exceed \$500 (\$1,000 for non-profits). The Ethics Commission receives and acts on complaints of violations of the ethics law, decides on requests to approve outside employment, renders advisory opinions, distributes and reviews financial disclosure forms and lobbying registration forms, and serves as the official repository for forms and records filed under the County's Public Ethics Law. When requested, the Commission may waive certain provisions of the Ethics Law, subject to statutory standards and, in some cases, the imposition of special conditions. The Commission is authorized to conduct investigations (on the basis of formal complaints or at its own initiative), issue summonses and subpoenas, impose sanctions, adopt regulations, establish procedures, publish advisory opinions, and conduct related public information and education programs. Complaints can be dismissed by the Commission or, if upheld, disposed by consent order or through an adjudicatory hearing. Possible sanctions include fines, public or private reprimands, termination of employment, and criminal prosecution. A person affected by a final decision of the Commission on a complaint, request for waiver, or request for outside employment approval may ask for a rehearing and, if unsuccessful, appeal to the Circuit Court.						
PROGRAM PARTNERS IN SUPPORT OF OUTCOMES: County Attorney's Office						
MAJOR RELATED PLANS AND GUIDELINES: Section 19A, §2-109, §11B-51, and §11B-52(a) of the Montgomery County Code; Executive Order 2199; Council Resolutions 14-1055 and 14-818.						